

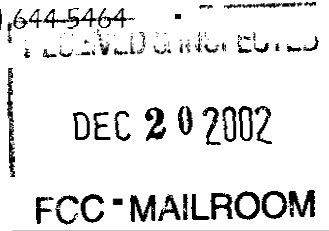


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December 17, 2002

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 - 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Irene M. Flannery  
Vice President – High Cost and Low Income Division  
Universal Service Administrative Company  
2120 L Street, NW, Suite 600  
Washington, D.C. 20037

RE: CC Docket No. 96-45  
Interstate Access Support – IAS  
Annual Certification Filing

This is to certify that Green Hills Area Cellular Telephone, Inc., d/b/a Green Hills Telecommunications Services ("the company"), will use its Universal Service Interstate Access Support only for the provision, maintenance, and upgrading of facilities and service for which the support is intended.

I am authorized to make this certification on behalf of the company named above. This certification is provided for all study area(s) listed below and in attachment(s) as necessary.

Company Name	State	Study Area No.
Green Hills Area Cellular Telephone, Inc., d/b/a Green Hills Telecommunications Services	MO	

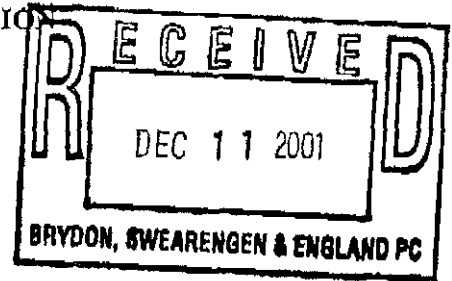
Signed,

No. of Copies rec'd  
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Renee Reeter  
Controller

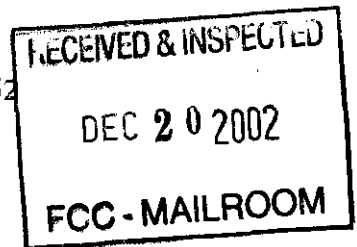
Date: December 17, 2002

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI



In the Matter of the Application of Green )  
Hills Area Cellular Telephone, Inc. d/b/a )  
Green Hills Telecommunications Services )  
for Designation as a Telecommunications )  
Company Carrier Eligible for Federal )  
Universal Service Support Pursuant to )  
Section 254 of the Telecommunications )  
Act of 1996. )

Case No. CO-2003-0162



**STAFF'S RESPONSE TO PUBLIC COUNSEL'S MOTION FOR EVIDENTIARY HEARING  
AND STAFF'S RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission and for its motion states:

1. On October 31, 2002, Green Hills Area Cellular Telephone, Inc. d/b/a Green Hills Telecommunications Services (Green Hills) filed an application for designation as an eligible telecommunications carrier with respect to Federal Universal Services support pursuant to Section 254 of the Telecommunications Act of 1996 (the Act)

2. Section 214(e) of the Act (47 U.S.C. 214(e)) provides, in part.

(e) PROVISION OF UNIVERSAL SERVICE.--

(1) ELIGIBLE TELECOMMUNICATIONS CARRIERS.--A common carrier designated as an eligible telecommunications carrier under paragraph (2) or (3) shall be eligible to receive universal service support in accordance with section 254 and shall, through the service area for which the designation is received- -

(A) offer the services that are supported by Federal universal service support mechanisms under section 254 (c), either

using **its** own facilities or a combination of its own facilities and resale of another carrier's service (including the services offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefore using media of general distribution.

(2) **DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIERS.**--A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a services area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

3. On November 14, 2002, the Office of the Public Counsel (OPC) filed a motion requesting an evidentiary hearing

4. On December 3, 2002, the Missouri Independent Telephone Group (MITG) filed an application to intervene. MITG asks if Green Hills' request is in its capacity as a wireless carrier or as a competitive local exchange carrier (CLEC), whether Green Hills' request is limited to the Norborne exchange, and whether granting Green Hills' request, to the extent it is in the area served by the MITG companies, is in the public interest.

5. In the attached Memorandum, labeled as Appendix A, the Staff recommends approval of Green Hills' application. The Staff recommends that the Commission designate Green Hills as an eligible telecommunications carrier, as a CLEC, limited to Sprint's Norborne exchange. The Staff notes that Green Hills' application states that it offers all of the services supported by federal universal service support and advertises the availability and charges for these services using media of general distribution (thus meeting the requirements of 47 U.S.C.214(e)(1))

6. Because the Staff recommends approval of the application, it apposes **OPC's** motion for an evidentiary hearing. The Staff notes that OPC's motion did not identify any potential concerns with the application.

WHEREFORE, the Staff recommends that the Commission approve Green Hills' application for designation as a telecommunications company carrier eligible for Federal Universal Service support and deny OPC's motion requesting an evidentiary hearing.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

/s/ **William K. Haas**



William K. Haas  
Deputy General Counsel  
Missouri Bar No. 25701

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## **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or emailed to all counsel of record this 10<sup>th</sup> day of December 2002.

**/s/ William K. Haas**

W<sup>ms</sup> K Haas

# MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Tariff File No. n/a Case No. CO-2003-0162

**From:** Natelle Dietrich  
Telecommunications Department

John Van Eschen 12/10/02

Utility Operations Division/Date

Wm K Haas 12/10/02  
General Counsel's Office/Date

**Subject:** Application for Designation as Eligible Carrier

**Date:** December 8, 2002

On October 31, 2002, Green Hills Area Cellular Telephone, Inc. d/b/a Green Hills Telecommunications Services (**GHTS**) a competitive local exchange carrier, filed an Application for Designation as Eligible Carrier Pursuant to § 254 of the Telecommunications Act of 1996 (Application). On November 14, 2002, an Order Directing Notice was issued directing any party wishing to intervene to file an application no later than December 3, 2002. On December 14, 2002, the Office of Public Counsel filed a Motion for Evidentiary Hearing and on November 20, 2002, Staff filed a Motion for Extension of Time to Respond to Public Counsel's Motion for Evidentiary Hearing to allow time for the intervention period to expire. On December 3, 2002, The Missouri Independent Telephone Group (MITG) filed an application to intervene.

**GHTS** was certificated to provide basic local telecommunications service in the State of Missouri in Case No. TA-98-380. GHTS provides basic local service through the use of its own facilities in the Missouri Sprint exchange of Norborne. GHTS states that it offers all of the services supported by federal universal service support. More specifically, GHTS offers:

- Voice grade access to the public switched network;
- Local usage;
- Dual tone multi-frequency signaling or its functional equivalent;
- Single-party service or its functional equivalent;
- Access to emergency services;
- Access to operator services;
- Access to interexchange service;
- Access to directory assistances; and,
- Toll limitation for qualifying low-income consumers.

GHTS states that it advertises the availability of and charges for these services using media of general distribution within its service area and has attached an Affidavit of Publication showing

proof of advertising. GHTS also states that Lifeline services are available to qualifying low-income consumers in its service area.

MITG, in its application to intervene, asks if Green Hills' request is in its capacity as a wireless carrier or as a competitive local exchange carrier (CLEC), whether Green Hills' request is limited to the Norborne exchange, and whether granting Green Hills' request, to the extent it is in the area served by the MITG companies, is in the public interest. In response to these questions, Staff notes that GHTS is making the request for eligible carrier status in its capacity as a competitive local exchange telecommunications service provider. However, this Commission has previously found that, "The Act clearly requires that a carrier both offer and advertise the services in question throughout its designated service area upon designation."<sup>1</sup> Therefore, Staff suggests that the eligible carrier status can only apply to the GHTS exchange of Norborne. Since Norborne is a Sprint exchange, and not an MITG exchange, MITG's concerns relating to areas served by the MITG companies is moot.

The Telecommunications Department Staff (Staff) has reviewed the Application and recommends the Commission approve Green Hills Area Cellular Telephone, Inc d/b/a Green Hills Telecommunications Services' Application for Designation as Eligible Carrier Pursuant to § 254 of the Telecommunications Act of 1996 for the Norborne Missouri exchange only. Staff is unaware of any other filing that affects or would be affected by this filing.

#### Assessment Information

☒ The Company is current in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

☐ No annual report ☐ Unpaid PSC assessment. Amount owed: ( )

<sup>1</sup> In the Matter of the Application of ExOp of Missouri, Inc., for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to Section 254 of the Telecommunications Act of 1996, TA-2001-251, Order Granting Designation as an Eligible Carrier Pursuant to Section 254 of the Telecommunications Act of 1996, May 15, 2001

**Service List for**  
**Case No. CO-2003-0162**  
**Verified: December 10,2002 (SW)**

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